

Kristin A. Schuler-Hintz, Esq., Nevada SBN 7171
McCarthy & Holthus, LLP
811 South Sixth Street
Las Vegas, NV 89101
Phone (702) 685-0329
Fax (866) 339-5691
KHintz@mccarthyholthus.com

Attorney for Defendant:
Aurora Loan Services

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

MARY ALEXANDER,) CASE NO.: 2:09-cv-1790
Plaintiff,)
vs.)
AURORA LOAN SERVICES, a foreign)
limited liability company; and)
CHRISTOPHER HOBSON, INC., a California)
Corporation qualified to do business in)
Nevada, d/b/a Franklin Financial and DOES I-)
V and ROES VI-X.)
Defendants)

Pursuant to the Court's Minute Order of 9/09/2009, and further to the Notice of Removal, Defendant Aurora Loan Services, LLC, responds with the following:

1. DATES ON WHICH COMPLAINT SERVED: 8/14/2009.
2. DATES ON WHICH SUMMONS SERVED. See above.
3. JURISDICTION. Citizenship: The Complaint alleges Plaintiff is a citizen of Nevada; Defendant, CHRISTOPHER E. HOBSON, INC., dba FRANKLIN FINANCIAL is a California Corporation, Aurora Loan Services is a Delaware Corporation.

Amount in Controversy: The Complaint challenges a mortgage loan and seeks injunctive relief and damages, Where equitable relief is sought jurisdiction is to be tested by the value of the object to be gained. The amount of the unpaid debt is approximately \$352,000.00.

Federal Question: The Complaint seeks relief under TILA a federal law suitable for interpretation by this Court and questions which could have initially been brought in this court.

4. NOTICE OF REMOVAL WAS NOT FILED MORE THAN 30 DAYS AFTER RECEIPT: Removal was filed 9/9/09.
5. REMOVAL WAS NOT FILED MORE THAN ONE YEAR AFTER ACTION FILED: The Complaint was filed 8/11/2009, the action was removed 9/9/2009.
6. DEFENDANTS KNOWN TO HAVE BEEN SERVED BEFORE REMOVAL:
None.

A copy of the Court's minute order is attached hereto.

Dated: 10/11/2009

McCarthy & Holthus, LLP

By:/s/ Kristin A. Schuler-Hintz
Kristin A. Schuler-Hintz, Esq.
Attorneys for Defendants

1 **CERTIFICATE OF MAILING**

2 I hereby certify that on the 12th day of October, 2009, a true and correct copy of the
3 foregoing STATEMENT REGARDING REMOVAL was forwarded by United States Mail,
4 postage prepaid to the addresses listed below.

5 Patrick Robert Driscoll
6 The Law Offices of Patrick Driscoll, LLC
7 1810 E. Sahara, Suite 141
8 Las Vegas , NV 89104
9 702-388-8300
10 Fax: 702-369-1290
11 Email: patrick@patrickdriscolllaw.com

12 /s/ Ellen McAbee
13 An employee of McCarthy & Holthus, LLP

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARY ALEXANDER,

Plaintiff(s),

vs.

AURORA LOAN SERVICES, et al.,

Defendant(s).

2:09-cv-01790-KJD-LRL

MINUTES OF THE COURT

September 9, 2009

PRESENT:

The Honorable Kent J. Dawson, U.S. District Judge

Deputy Clerk: Aaron Blazevich

Recorder/Reporter: None Appearing

Counsel for Plaintiff(s): None Appearing

Counsel for Defendant(s): None Appearing

MINUTE ORDER IN CHAMBERS:

TO ALL PARTIES REMOVING ACTIONS TO THE COURT:

You must, no later than fifteen (15) days from the date hereof, file and serve a signed statement under the above case number and caption that sets forth the following information:

1. The date(s) on which you were served with a copy of the complaint in the removed action.
2. The date(s) on which you were served with a copy of the summons.
3. In removals based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties and a summary of defendant's evidence of the amount in controversy.
4. If your notice of removal was filed more than thirty (30) days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.

5. In actions removed on the basis of the court's jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons this action should not summarily be remanded to the state court.
6. The name(s) of any defendant(s) known to have been served before you filed the notice of removal who did not formally join in the notice of removal and the reasons they did not.

IT IS FURTHER ORDERED that all defendants who joined in the notice of removal may file the statement required by the foregoing jointly.

IT IS FURTHER ORDERED that counsel shall have thirty (30) days within which to file a Joint Status Report which must:

1. Set forth the status of this action, including a list of any pending motions and/or other matters which require the attention of this court.
2. Include a statement by counsel of action required to be taken by this court.
3. Include as attachments copies of any pending motions, responses and replies thereto and/or any other matters requiring the court's attention not previously attached to the notice of removal.

IT IS FURTHER ORDERED that the removing defendant(s) shall serve a copy of this Order on all other parties to the action no later than the time they file and serve a copy of the Statement required by this Order. A party who learns that the Statement(s) filed pursuant to this Order contain(s) incorrect information shall promptly notify this court in writing.

IT IS SO ORDERED.

The date of the Clerk's file stamp shall constitute the date of this order.

LANCE S. WILSON, CLERK

By: /s/ Aaron Blazevich

Deputy Clerk